

RICK A. YARNALL, TRUSTEE  
CHAPTER 13 BANKRUPTCY TRUSTEE  
701 BRIDGER ST, SUITE 820  
LAS VEGAS, NV 89101  
(702) 853-4500

E-FILED: 3/30/10

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

RE: )  
 ) BKS-09-12690-BAM  
 ) Chapter 13

JOSEPH & CHERYL BALLARD )  
 )  
 )  
 )

**PRE-CONFIRMATION MEETING**

Meeting Date: 4/29/10

Meeting Time: 8:30 AM

THOMAS CROWE, ESQ.  
Attorney for Debtor(s)

**MODIFIED CONFIRMATION HEARING**

Hearing Date: 4/29/10

Hearing Time: 1:30 PM

**TRUSTEE'S OPPOSITION TO CONFIRMATION OF POST-CONFIRMED PLAN #4  
COMBINED WITH TRUSTEE'S RECOMMENDATION FOR DISMISSAL**

The Trustee herein, Rick A. Yarnall, hereby objects to confirmation of proposed Plan #4 and recommends dismissal for the reason(s) which follow:

- (X) Plan has not been proposed in good faith under §1325(a)(3).
- (X ) Debtor(s) is delinquent in Plan payments pursuant to the proposed Plan in the amount of \$815.00 and are responsible for all future payments that become due under the proposed Plan.
- (X ) Need to provide a copy of the 2009 tax return(s) along with any refund(s) received.
- (X ) The following corrections need to be made to the proposed plan:
  - (X ) strike "less debtor attorney fees" in Paragraph 2.20 Class 10.

(X) Other:

1. The next payment of \$815.00 will be due on 4/27/10 under the terms of the proposed modified plan.
2. Trustee will not confirm the proposed Plan #4 prior to the next plan payment being made under the terms of the proposed plan.
3. Trustee cannot complete his review of the case without the requested information.
4. Trustee reserves the right to make further objections after receipt of the above requested items.

THEREFORE, the Trustee objects to Confirmation for the foregoing reasons and recommends that this case be dismissed.

Date: 3-30-10

  
RICK A. YARNALL, TRUSTEE